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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RIGHTHAVEN LLC, a Nevada limited-
liability company,

Plaintiff,

v.

AMERICAN POLITICAL ACTION
COMMITTEE; and ALAN M. GOTTLIEB,
an individual,

Defendants.

Case No.: 2:10-cv-01481

**COMPLAINT AND DEMAND
FOR JURY TRIAL**

Righthaven LLC (“Righthaven”) complains as follows against American Political Action Committee (“AMERIPAC”) and Alan M. Gottlieb (“Mr. Gottlieb”; collectively with AMERIPAC known herein as the “Defendants”), on information and belief:

NATURE OF ACTION

1. This is an action for copyright infringement pursuant to 17 U.S.C. § 501.

PARTIES

2. Righthaven is, and has been at all times relevant to this lawsuit, a Nevada limited-liability company with its principal place of business in Nevada.

1 23. On or about March 2, 2010, the Defendants displayed, and continue to display,
2 the Infringement on the Website.

3 24. The Defendants did not seek permission, in any manner, to reproduce, display, or
4 otherwise exploit the Work.

5 25. The Defendants were not granted permission, in any manner, to reproduce,
6 display, or otherwise exploit the Work.

7
8 **CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT**

9 26. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through
10 25 above.

11 27. Righthaven holds the exclusive right to reproduce the Work, pursuant to 17
12 U.S.C. § 106(1).

13 28. Righthaven holds the exclusive right to prepare derivative works based upon the
14 Work, pursuant to 17 U.S.C. § 106(2).

15 29. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to
16 17 U.S.C. § 106(3).

17 30. Righthaven holds the exclusive right to publicly display the Work, pursuant to 17
18 U.S.C. § 106(5).

19 31. The Defendants reproduced the Work in derogation of Righthaven's exclusive
20 rights under 17 U.S.C. § 106(1).

21 32. The Defendants created an unauthorized derivative of the Work in derogation of
22 Righthaven's exclusive rights under 17 U.S.C. § 106(2).

23 33. The Defendants distributed, and continue to distribute, an unauthorized
24 reproduction of the Work on the Website, in derogation of Righthaven's exclusive rights under
25 17 U.S.C. § 106(3).

26 34. The Defendants publicly displayed, and continue to publicly display, an
27 unauthorized reproduction of the Work on the Website, in derogation of Righthaven's exclusive
28 rights under 17 U.S.C. § 106(5).

35. AMERIPAC has willfully engaged in the copyright infringement of the Work.

36. Mr. Gottlieb has willfully engaged in the copyright infringement of the Work.

37. The Defendants' acts as alleged herein, and the ongoing direct results of those acts, have caused and will continue to cause irreparable harm to Righthaven in an amount Righthaven cannot ascertain, leaving Righthaven with no adequate remedy at law.

38. Unless the Defendants are preliminarily and permanently enjoined from further infringement of the Work, Righthaven will be irreparably harmed, and Righthaven is thus entitled to preliminary and permanent injunctive relief against further infringement by the Defendants of the Work, pursuant to 17 U.S.C. § 502.

PRAYER FOR RELIEF

Righthaven requests that this Court grant Righthaven's claim for relief herein as follows:

1. Preliminarily and permanently enjoin and restrain the Defendants, and the Defendants' officers, agents, servants, employees, attorneys, parents, subsidiaries, related companies, partners, and all persons acting for, by, with, through, or under the Defendants, from directly or indirectly infringing the Work by reproducing the Work, preparing derivative works based on the Work, distributing the Work to the public, and/or displaying the Work, or ordering, directing, participating in, or assisting in any such activity;

2. Direct the Defendants to preserve, retain, and deliver to Righthaven in hard copies or electronic copies:

a. All evidence and documentation relating in any way to the Defendants' use of the Work, in any form, including, without limitation, all such evidence and documentation relating to the Website;

b. All evidence and documentation relating to the names and addresses (whether electronic mail addresses or otherwise) of any person with whom the Defendants have communicated regarding the Defendants' use of the Work; and

c. All financial evidence and documentation relating to the Defendants' use of the Work;

3. Direct Network Solutions and any successor domain name registrar for the Domain to lock the Domain and transfer control of the Domain to Righthaven;

4. Award Righthaven statutory damages for the willful infringement of the Work, pursuant to 17 U.S.C. § 504(c);

5. Award Righthaven costs, disbursements, and attorneys' fees incurred by Righthaven in bringing this action, pursuant to 17 U.S.C. § 505;

6. Award Righthaven pre- and post-judgment interest in accordance with applicable law; and

7. Grant Righthaven such other relief as this Court deems appropriate.

DEMAND FOR JURY TRIAL

Righthaven requests a trial by jury pursuant to Fed. R. Civ. P. 38.

Dated this thirty-first day of August 2010.

RIGHTHAVEN LLC

By: /s/ J. Charles Coons
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